

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

STATE OF MISSOURI, ex rel.,)	No. ED97523
PROMISE HEALTHCARE INC., d/b/a)	
PROMISE HOSPITAL OF SAN DIEGO,)	
)	
Relator,)	Writ of Prohibition, or in the
)	Alternative, Petition for Writ
v.)	of Mandamus
)	
THE HONORABLE SANDRA)	
FARRAGUT-HEMPHILL, 21 st Judicial)	Cause No. 11SL-AC04207
Circuit, St. Louis County, Missouri,)	
)	
Respondent.)	Filed: February 14, 2012

Relator Promise Healthcare Inc. d/b/a Promise Hospital of San Diego (“Promise Healthcare”) seeks a writ of prohibition, or in the alternative, a writ of mandamus requiring the Respondent to dismiss it as a defendant in a suit filed by Nielsen Healthcare Group Inc. (“Nielsen Healthcare”).

PRELIMINARY ORDER IN PROHIBITION MADE PERMANENT

Writ Division Seven Holds: Respondent improperly denied Promise Healthcare’s Motion to Dismiss on the grounds that it waived its challenge to personal jurisdiction by filing an entry of appearance that was not labeled as special or otherwise qualified where it timely filed a motion to dismiss for lack of personal jurisdiction.

Opinion by: Patricia L. Cohen, P.J.
Kathianne Knaup Crane, J., and Roy L. Richter, J., concur.

Attorney for Relator: Jeffrey R. Wagener

Attorney for Respondent: Jay B. Umansky

<p>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</p>
